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OFFICE OF PETITIONS

In re Application of :
Tomoo Yamamoto et al :
Application No. 09/914,471 : DECISION GRANTING PETITION
Filed: August 29, 2001 : UNDER 37 CFR 1.313(c)(2)
Attorney Docket No. 29273/557 :

This is a decision on the petition, filed May 25, 2005, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.


The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on May 6, 2005 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Technology Center AU 1773 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the Information Disclosure Statement.


Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).



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Date : June 2, 2005
TO : Director, Office of Patent Publication
FROM : Office of the Deputy Commissioner
for Patent Examination Policy
SUBJECT : Withdrawal from Issue of **Application No. 09/914,471**

Applicant(s) : Tomoo Yamamoto et al
Application No. : 09/914,471
Filed : August 29, 2001

The above-identified application has been assigned Patent No. 6,905,789 and an issue date of June 14, 2005.

It is hereby directed that this application be withdrawn from issue at the request of the applicant. Do not refund the issue fee.

The following erratum should be published in the Official Gazette if the above-identified application is published in the OG of June 14, 2005:

"All reference to Patent No. 6,905,789 to Tomoo Yamamoto et al of Japan for MAGNETIC RECORDING MEDIUM AND MAGNETIC STORAGE DEVICE appearing in the Official Gazette of June 14, 2005 should be deleted since no patent was granted."



Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
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